

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

Albert R. Kuperman

v.

Civil No. 07-cv-245-PB

Warden, New Hampshire State Prison

O R D E R

Petitioner seeks a certificate of appealability (Doc. No. 59) to challenge both the court's order dismissing certain of petitioner's claims on statute of limitations grounds (Doc. No. 17) and the court's order resolving petitioner's remaining claim on its merits (Doc. No. 55).

My Order dismissing certain of petitioner's claims on statute of limitations grounds was based on the Magistrate Judge's September 28, 2008 Report and Recommendation. The Report and Recommendation was carefully reasoned and is legally correct. Reasonable jurists would not disagree with his conclusions. My Order dismissing petitioner's claim was based on a persuasive analysis of the same issue by Judge Laplante in another case. Judge Laplante's reasoning is also correct and reasonable jurists

could not conclude otherwise. Accordingly, petitioner has not made a substantial showing of the denial of a constitutional right. Petitioner's request for a certificate of appealability (Doc. No. 59) is denied.

SO ORDERED.

/s/Paul Barbadoro  
Paul Barbadoro  
United States District Judge

October 31, 2008

cc: Albert Kuperman, pro se  
Richard Lehmann, Esq.  
Stephen D. Fuller, Esq.